

Docket No. 500.40766X00  
Serial No. 09/982,291  
Office Action dated October 6, 2006

RECEIVED  
CENTRAL FAX CENTER  
FEB 06 2007

## **REMARKS**

### **I. Introduction**

By the present Amendment, claims 11, 17, and 41 have been amended. Claims 1-15, 30-40, and 43-49 have been canceled. Accordingly, claims 16-29, 41, 42, and 50-54 remain pending in the application. Claims 16, 17, 20, 22, 41, 42, and 50 are independent.

### **II. Office Action Summary**

In the Office Action of October 6, 2006, claims 16-22, 24, 41-42, and 50 were rejected under 35 USC §102(e) as being anticipated by U.S. Patent No. 6,034,832 issued to Ichimura et al. ("Ichimura"). Claims 26-29 and 51-54 were rejected under 35 USC §103(a) as being unpatentable over Ichimura in view of U.S. Patent No. 6,584,552 issued to Kuno. These rejections are respectfully traversed.

### **III. Allowable Subject Matter**

The Examiner's indication that claims 23 and 25 would be allowable, if rewritten in independent form to include all the limitations of the base claim and any intervening claims, is noted with appreciation.

### **IV. Interview**

Applicants would like to thank Examiners Topgyal and Tran for their cooperation, and the courtesy extended during the interview conducted on February 1, 2007. During the interview, claims 16 and 22 were discussed with respect to features relating to the move permission information and copy permission period. During the interview, Applicants clarified the differences between the copy permission period and move permission information. Applicants indicated that the

Docket No. 500.40766X00  
Serial No. 09/982,291  
Office Action dated October 6, 2006

move permission allowed copies to be made, under specific circumstances, even after the total number of allowed copies has been reached. It was agreed that the applied references, including Ichimura, did not disclose the feature of the move permission information as described in the claims.

**V. Rejections under 35 USC §102**

Claims 16-22, 24, 41-42, and 50 were rejected under 35 USC §102(e) as being anticipated by Ichimura. Regarding this rejection, the Office Action indicates that Ichimura discloses all the features of the claimed invention, including the copy permission period.

By the present Amendment, Applicants have revised independent claim 16 to further recite features that are not shown or suggested by the art of record. As amended, independent claim 16 defines a digital information recording apparatus for recording digital information that includes video information and/or audio information on a first recording medium. The recording apparatus comprises:

a recording circuit for recording information of a copy permission period and move permission information included in said digital information;

said copy permission period specifying a predetermined time period for permitting said digital information recorded on said first recording medium to be copied and recorded only once from said first recording medium onto a second recording medium different from said first recording medium after recording of said digital information on said first recording medium;

said move permission information permitting said digital information to be moved to said second recording medium on the premise that at least a part of said digital information on said first recording medium is disabled for playback, even when said digital information is inhibited from being copied and recorded from said first recording medium onto a second recording medium different from said first recording medium.

Docket No. 500.40766X00  
Serial No. 09/982,291  
Office Action dated October 6, 2006

According to independent claim 16, the recording circuit records information pertaining to a copy permission period, as well as move permission information that is included in the digital information. The copy permission period specifies a predetermined time period during which the digital information can be copied onto a second recording medium. However, the move permission information allows the digital information to be copied onto a second recording medium on the premise that at least part of the digital information from the first recording medium will be disabled for playback. Further, the move permission information allows copying to the second recording medium even after the digital information is normally inhibited from being copied onto another recording medium. As discussed in the Specification, there are various benefits achieved by utilizing the move permission information. For example, the move permission information allows a user to create a new copy of the digital information under circumstances where the original recording medium has been damaged or otherwise beginning to lose integrity. In such cases, the user is allowed to transfer the digital information to a new recording medium that is free of defects. Simultaneously, the first recording medium is disabled for playback so that only a single copy of the digital information remains in a usable form. See, for example, page 7, line 25 to page 8, line 6.

The art of record does not appear to provide any disclosure or suggestion for features now recited in independent claim 16 such as:

said move permission information permitting said digital information to be moved to said second recording medium on the premise that at least a part of said digital information on said first recording medium is disabled for playback, even when said digital information is inhibited from being copied and recorded from said first recording medium onto a second recording medium different from said first recording medium.

Docket No. 500.40766X00  
Serial No. 09/982,291  
Office Action dated October 6, 2008

It is therefore respectfully submitted that independent claim 16 is allowable over the art of record.

Independent claim 17 defines a digital information reproducing apparatus for reproducing digital information including video information and audio information from a first recording medium. The digital information includes information pertaining to a copy permission period that specifies a predetermined period of time for permitting the digital information to be played back and recorded only once from the first recording medium to a second recording medium. The digital information also includes move permission information that permits the digital information to be moved to a second recording medium on the premise that at least part of the digital information on the first recording medium will be disabled for playback. The move permission information allows this even when the digital information has been inhibited from being copied and recorded onto a second recording medium. The apparatus comprises:

a detection circuit for detecting said copy permission period and said move permission information from the reproduced digital information; and

a control circuit for controlling, on the basis of the information of said copy permission period and said move permission information detected by said detection circuit, an operation for delivering the played back digital information to said second recording medium so as to copy and record said played back digital information onto said second recording medium.

Similar to independent claim 16, the digital information reproducing apparatus of claim 17 utilizes both a copy permission period as well as move permission information. As discussed above with respect to independent claim 16, the art of record fails to provide any disclosure or suggestion for move permission information as set forth in the claimed invention.

Docket No. 500.40766X00  
Serial No. 09/982,291  
Office Action dated October 6, 2006

It is therefore respectfully submitted that independent claim 17 is allowable over the art of record.

Claims 18, 19, and 23 depend from independent claim 17, and are therefore believed allowable for at least the reasons set forth above with respect to independent claim 17. In addition, these claims each introduce novel elements that independently render them patentable over the art of record.

Independent claim 41 defines a digital information transmitting apparatus for transmitting digital information including video information and/or audio information to a recording and reproducing unit that comprises a first recording medium. The apparatus comprises:

- a transmitting circuit for transmitting information of a copy permission period and move permission information included in said digital information;

- said copy permission period specifying a predetermined time period for permitting said digital information to be only once copied and recorded onto a second recording medium different from said first recording medium following recording of said digital information on said first recording medium;

- said move permission information permitting said digital information to be moved to said second recording medium on the premise that at least a part of said digital information on said first recording medium is disabled for playback, even when said digital information is inhibited from being copied and recorded from said first recording medium onto a second recording medium different from said first recording medium.

Similar to independent claim 16, the digital information transmitting apparatus of independent claim 41 also includes move permission information that allows the digital information to be moved to a second recording medium. As previously discussed, the art of record does not provide any disclosure or suggestion for such a feature.

Docket No. 500.40766X00  
Serial No. 09/982,291  
Office Action dated October 6, 2006

It is therefore respectfully submitted that independent claim 41 is allowable over the art of record.

Independent claim 42 defines a digital information transmitting apparatus for transmitting digital information including video information and/or audio information to a recording and reproducing unit having a first recording medium. Independent claims 22 and 50 define digital information reproducing apparatus for reproducing information including video information and/or audio information from a first recording medium on which the digital information is recorded. Independent claims 22, 42 and 50 all include the feature of a move permission information that allows the digital information to be moved to a second recording medium. As previously discussed, the art of record fails to provide any disclosure or suggestion for such a move permission information.

It is therefore respectfully submitted that independent claims 22, 42, and 50 are allowable over the art of record.

**VI. Rejections under 35 USC §103**

Claims 26-29 and 51-54 were rejected under 35 USC §103(a) as being unpatentable over Ichimura in view of Kuno. Regarding this rejection, the Office Action alleges that the combination of references disclose all the features recited in the claimed invention.

Claims 26-29, however, depend from independent claim 22, and are therefore believed allowable for at least the reasons set forth above with respect to independent claim 22. In addition, these claims each include novel elements that independently render them patentable over the art of record.

Docket No. 500.40766X00  
Serial No. 09/982,291  
Office Action dated October 6, 2006

Claims 51-54 depend from independent claim 50, and are therefore believed allowable for at least the reasons set forth above with respect to independent claim 50. In addition, these claims each introduce novel elements that independently render them patentable over the art of record.

**VII. Conclusion**

For the reasons stated above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a Notice of Allowance is believed in order, and courteously solicited.

If the Examiner believes that there are any matters which can be resolved by way of either a personal or telephone interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

RECEIVED  
CENTRAL FAX CENTER

021/021

FEB 06 2007

**BEST AVAILABLE COPY**

Docket No. 500.40766X00

Serial No. 08/982,291

Office Action dated October 6, 2006

**AUTHORIZATION**

Applicants request any shortage or excess in fees in connection with the filing of this paper, including extension of time fees, and for which no other form of payment is offered, be charged or credited to Deposit Account No. 01-2135 (Case: 500.40766X00).

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP.



Leonid D. Thencor  
Registration No. 39,397

LDT/vvr  
1300 N. Seventeenth Street  
Suite 1800  
Arlington, Virginia 22209  
Tel: 703-312-6600  
Fax: 703-312-6666

Dated: February 6, 2007